

91<sup>ST</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 14571

IN THE SENATE OF THE UNITED STATES

DECEMBER 2, 1969

Read twice and referred to the Committee on Armed Services

## AN ACT

To amend the Central Intelligence Agency Retirement Act of 1964 for Certain Employees, as amended, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 That—

4 SECTION 1. Section 211 (a) of the Central Intelligence  
5 Agency Retirement Act of 1964 for Certain Employees, as  
6 amended (78 Stat. 1043; 50 U.S.C. 403 note), is further  
7 amended by striking out “Six and one-half per centum” in  
8 the first sentence and inserting “Seven per centum”.

9 SEC. 2. Section 221 of the Central Intelligence Agency  
10 Retirement Act (50 U.S.C. 403 note) is amended:

II

1 (a) by striking out in paragraph (a) "five consecu-  
2 tive years of service," and inserting "three consecutive  
3 years of service (or, in the case of an annuity computed  
4 under section 232 and based on less than three years,  
5 over the total service),";

6 (b) by striking out from the first sentence of para-  
7 graph (b) "or remarriage of such surviving wife or  
8 husband" and inserting "or upon remarriage prior to  
9 attaining age sixty of such surviving wife or husband";

10 (c) by striking out in paragraph (c) the items  
11 "40 per centum", "\$600", "\$1,800", "50 per centum",  
12 "\$720", and "\$2,160", and inserting "60 per centum",  
13 "\$900", "\$2,700", "75 per centum", "\$1,080", and  
14 "\$3,240";

15 (d) by adding new paragraph (g) :

16 "(g) In the case of remarriage on or after age sixty  
17 an annuity shall be payable if remarriage has occurred on  
18 or after July 18, 1966, and if the surviving wife or husband,  
19 immediately before such remarriage, was receiving an an-  
20 nuity from the Central Intelligence Agency Retirement and  
21 Disability Fund. The annuity of a surviving spouse termi-  
22 nated as a result of remarriage which occurred prior to age  
23 sixty and on or after July 18, 1966, shall be restored at  
24 the same rate commencing on the day the remarriage is  
25 dissolved by death, annulment, or divorce, if—

1           “(1) the surviving spouse elects to receive this  
2           annuity instead of a survivor benefit to which he may be  
3           entitled, under this or another retirement system for  
4           Government employees, by reason of the remarriage;  
5           and

6           “(2) any lump sum paid on termination of the  
7           annuity is returned to the fund.

8           No annuity shall be paid by reason of this paragraph for  
9           any period prior to October 20, 1969. No annuity shall be  
10          terminated solely by reason of the enactment of this para-  
11          graph.”; and

12          (e) by adding new paragraph (h) :

13          “(h) In computing an annuity under this section the  
14          service credit of a participant who retires, except under sec-  
15          tion 231, on an immediate annuity or dies leaving a survivor  
16          or survivors entitled to annuity includes, without regard to  
17          the limitations imposed by paragraph (a), the days of un-  
18          used sick leave to his credit under a formal leave system,  
19          except that these days will not be counted in determining  
20          average basic salary or annuity eligibility. The contribution  
21          specified in section 252 shall not be required for days of un-  
22          used sick leave credited under this paragraph.”.

23          SEC. 3. Section 231 (a) of the Central Intelligence  
24          Agency Retirement Act (50 U.S.C. 403 note) is amended

1 by striking “, but this provision shall not increase the an-  
2 nuity of any survivor” from the last sentence.

3 SEC. 4. (a) Section 232 (b) of the Central Intelligence  
4 Agency Retirement Act (50 U.S.C. 403 note) is amended:

5 (1) by striking “five years” and inserting “eighteen  
6 months”

7 (2) by inserting, after “221 (a)”, “, except that  
8 the computation of the annuity of the participant under  
9 such section shall be at least the smaller of (i) 40 per  
10 centum of the participant’s average basic salary, or (ii)  
11 the sum obtained under such section after increasing the  
12 participant’s service of the type last performed by the  
13 difference between his age at the time of death and age  
14 sixty”; and

15 (3) by striking “remarriage of the widow or de-  
16 pendent widower” and inserting “upon remarriage prior  
17 to attaining age sixty of the widow or dependent wid-  
18 ower (subject to the payment and restoration provisions  
19 of section 221 (g) )”.

20 (b) Sections 232 (c) and (d) are amended by strik-  
21 ing “five years” and inserting “eighteen months”.

22 SEC. 5. Section 291 of the Central Intelligence Agency  
23 Retirement Act (50 U.S.C. 403 note) is amended:

24 (a) by inserting “1 per centum plus” immediately  
25 after the word “by” in paragraph (a) (2) ; and

1           (b) by amending paragraphs (b) (2) and (b)  
2           (3) to read:

3           “(2) For the purpose of computing the annuity of a  
4 child under section 221 (c) that commences after October 31,  
5 1969, the items \$900, \$1,080, \$2,700, and \$3,240 appear-  
6 ing in section 221 (c) shall be increased by the total per  
7 centum increases allowed and in force under this section  
8 on or after such day, and, in case of a deceased annuitant,  
9 the items 60 per centum and 75 per centum appearing in  
10 section 221 (c) shall be increased by the total per centum  
11 allowed and in force to the annuitant under this section on  
12 or after such day.

13           “(3) The annuity of each surviving child receiving an  
14 annuity under section 221 immediately prior to November 1,  
15 1969, shall be recomputed effective November 1, 1969, in  
16 accordance with paragraph (b) (2). No increase allowed  
17 and in force prior to such date under section 291 shall be  
18 included in the recomputation of any such annuity, and this  
19 paragraph shall not operate to reduce any annuity.”.

20           SEC. 6. (a) The amendments made by section 1 shall  
21 become effective at the beginning of the first applicable pay  
22 period beginning after December 31, 1969.

23           (b) The amendments made by sections 3, 4, and 2,  
24 with the exception of 2 (c), shall become effective October  
25 20, 1969.

1       (c) The amendments made by sections 2(c) and 5  
2 shall become effective November 1, 1969.

(d) The amendments made by sections 2 (a) , 2 (e) , 3, and 4 (a) (1) – (2) shall not apply in the cases of persons retired or otherwise separated prior to October 20, 1969, and the rights of such persons and their survivors shall continue in the same manner and to the same extent as if such sections had not been enacted.

Passed the House of Representatives December 1, 1969.

Attest: W. PAT JENNINGS,  
Clerk.

Approved For Release 2001/03/02 : CIA-RDP72-00337R000300150011-8

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